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10 Attorneys for Defendant JAMES ARTHUR RAY

11 SUPERIOR COURT OF STATE OF ARIZONA
12 COUNTY OF YAVAPAI

13 STATE OF ARIZONA,

14 Plaintiff,

15 vs.

16 JAMES ARTHUR RAY,

17 Defendant.
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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2010 JUL -7 AM 10:28

JEANNE HICKS, CLERK

B. Chamberlain

BY: _____

V1300CR 20108 0049
CASE NO. ~~VCR1300CR 201080049~~

**DECLARATION OF TRUC T. DO IN
SUPPORT OF DEFENDANT JAMES
ARTHUR RAY'S MOTIONS *IN LIMINE*
TO EXCLUDE:**

- (1) EVIDENCE OF PRIOR ACTS (ARIZ.
R. EVID. 404 AND 403)
- (2) EVIDENCE OF FINANCIAL
CONDITION AND BUSINESS
PRACTICES (ARIZ. R. EVID. 404
AND 403)
- (3) AUTOPSY PHOTOGRAPHS (ARIZ.
R. EVID. 403)

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1. I am an attorney at the law firm of Munger, Tolles and Olson LLP, and am one of the attorneys for Defendant James Arthur Ray in the above-captioned matter. I am duly admitted to practice in the State of California and am admitted as *pro hac vice* in the State of Arizona on this matter. I make this declaration in support of Mr. Ray's Motions *in Limine* to exclude: (1) evidence of prior acts pursuant to Ariz. R. Evid. 404 and 403; (2) evidence of financial condition and business practices pursuant to Ariz. R. Evid. 404 and 403; and (3) autopsy photographs pursuant to Ariz. R. Evid. 403.

3. On May 7, 2010, Sheila Polk responded that “[i]n regards to any prior acts of the defendant, the State intends to introduce evidence concerning the prior sweat lodge incidents as described in YCSO DR 09-040205 and the supplements thereto.” Attached as **Exhibit 2** is a true and correct copy of Ms. Polk’s letter dated May 7, 2010.

4. On June 4, 2010, I asked the State to provide better notice and specificity of the alleged prior sweat lodge incidents it intends to introduce, in order for Mr. Ray to evaluate the necessity of any motions and to prepare to rebut the State's evidence. Attached as **Exhibit 3** is a true and correct copy of my letter to Ms. Polk dated June 4, 2010.

5. On June 24, 2010, Ms. Polk responded to my request for further specificity by stating that the State “intends to introduce at trial testimony from past participants in the sweat lodge who became ill or suffered signs of hyperthermia. The identify [sic] of these participants and their testimony is set forth in previously disclosed reports.” Attached as **Exhibit 4** is a true and correct copy of Ms. Polk’s letter dated June 24, 2010.

6. On July 1, 2010, I wrote to Ms. Polk indicating that since the “State’s disclosures exceed 4000 pages,” “Mr. Ray [has] conducted a sweat lodge 5 years consecutively with

1 hundreds of participants,” and what the “State’s view of what qualifies as an illness or ‘signs of
2 hyperthermia’ may differ from [the defense’s view], the defense “cannot guess, nor should [it] be
3 required to guess, who specifically the State intends to call as a 404(b) witness.” I requested,
4 again, that the State “[a]t a minimum ... list the names of such persons and identify the specific
5 incident alleged to be a prior ‘bad act.’” Attached as **Exhibit 5** is a true and correct copy of my
6 letter to Ms. Polk dated June 24, 2010.

7 7. At the time of this declaration, the State has not responded to my letter of July 1,
8 2010.

9 8. On June 24, 2010, Ms. Polk also indicated that the State intends to introduce
10 “[e]vidence or reference to injuries or incidents that occurred in non-sweat lodge JRI events.”
11 See Exhibit 4. The State also has not provided the defense with any notice or specificity as to the
12 names of the persons or the specific incidents alleged to qualify as admissible non-sweat lodge
13 “injuries or incidents.” See Exhibit 5 and paragraph 7, *supra*.

14 9. Based upon my review of the State’s Initial to Eighth Disclosures, which contain
15 approximately 4600 pages, I believe that the State may be referring to the following “injuries or
16 incidents that occurred in a non-sweat lodge JRI events”:

- 17 a. *Modern Magick conference in Kona Hawaii.* At this JRI program, one or more
18 participants allegedly sustained fractures to their hands during an activity in
19 which they were given an opportunity to break a break or board. Attached as
20 **Exhibit 6** are true and correct copies of the relevant pages from the transcript of
21 an interview of Sheryl Stern by Detective Ross Diskin, bate stamped 986, 1019-
22 1022.
- 23 b. *Quantum Leap conference in Las Vegas, Nevada.* At this JRI program, one
24 participant, Curt Reinkens, allegedly sustained an injury to his eye when an
25 archery arrow broke during a group exercise. Attached as **Exhibit 7** is a true and
26 correct copy of the transcript of an interview of Curt Reinkens by Detective
27 Diskin, bate stamped 276-284, and **Exhibit 8** are true and correct copies of the
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relevant pages from the transcript of an interview of Josh Frederickson by Detective Diskin, bates stamped 1099, 1103-04.

c. *Creating Absolute Wealth conference, San Diego, California.* During this event in the summer of 2009, a woman named Colleen Conway tragically committed suicide at a local shopping mall. Attached as **Exhibit 9** are true and correct copies of the relevant pages from transcript of an interview of Michelle Goulet by Detective Diskin, bates stamped 3980-83.

10. On June 24, 2010, Ms. Polk also indicated that the "State intends to introduce evidence and reference to the financial wealth of the defendant and/or JRI, including references to the cost of the Spiritual Warrior Retreat, the business practices and the sales techniques." See Exhibit 4.

11. Attached as **Exhibit 10** is a true and correct copy of the Yavapai County Sheriff's Office transcript of an interview of Hope Miller by Detective Diskin, bates stamped 258-71.

12. On June 4, 2010, I asked Ms. Polk whether the State intends to object to the mandatory bifurcation of all allegations and references to allegations of aggravating sentencing factors pursuant to Ariz. R. Crim. P. 19.1(b). See Exhibit 3. On June 24, 2010, Ms. Polk stated that the "State is in agreement that aggravating factors as they relate to the sentence are tried to the jury after a guilty verdict (other than priors - not alleged here)." See Exhibit 4.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct and that this Declaration was executed this 6th day of July 2010 at Los Angeles, California.



Truc T. Do

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Copy of the forgoing personally
delivered this ____ day of July, 2010, to:

Sheila Polk
Yavapai County Attorney
255 E. Gurley
Prescott, Arizona 86301

By: _____

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May 3, 2010

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VIA EMAIL

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Truc Do@mtol.com

Re. State v. James Arthur Ray

Dear Bill:

The defense hereby requests that the State provide the following disclosure required and/or permitted under Rule 15.1 within 30 days of this letter.

1. The "statements and examination notes" made by the experts you have designated under Rule 15.1(b)(1) and (b)(4), including Dr. Robert Lyon, Dr. Mark Fischione, Dr. A.L. Mosley, and Dawn R. Sy. Rule 15.1(e)(3) (emphasis added). To be clear, we are requesting copies of all field and lab notes that were taken in connection with the autopsies and analyses of any trace evidence.

2. We would like to examine and inspect all real and/or physical items of evidence designated by you under Rule 15.1(b)(5). We are not requesting the testing of any items at this point.

3. "A list of all prior acts of the defendant which the State intends to use to prove motive, intent, or knowledge or otherwise use at trial." Rule 15.1(7) (emphasis added). To date, the State has indicated that this information is "unknown" despite the fact that it has provided some reports of alleged prior acts. Please specify all prior acts which the State intends to use at trial.

Bill Hughes
May 3, 2010
Page 2

4. Copies of all electronic surveillance of any conversations to which the Mr. Ray was a party, including without limitations jailhouse monitored conversations. Rule 15.1(9). The State indicated it did not know whether there existed any electronic surveillance in its First Supplemental Disclosure on March 4, 2010. However, reports provided by the State indicate that the Yavapai County Sheriff's Office, with the permission and knowledge of the State, monitored and recorded Mr. Ray's conversations as soon as he was first incarcerated on February 3, 2010.

5. A list of the prior felony convictions and misdemeanor conduct constituting moral turpitude of witnesses whom the prosecutor intends to call at trial. Rule 15.1(d). The State has named 112 civilian witnesses, not including medical personnel who treated participants, as trial witnesses in its disclosure to date. Unless the State narrows its list of witnesses to those it truly intends to call at trial, we are requesting this information for each of the 112 witnesses.

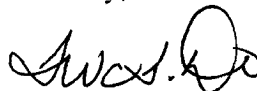
6. Finally, we are requesting personal interviews of the following witnesses designated for trial by the State. Please immediately advise us if the witness will not cooperate in granting a personal interview and/or whether the State prefers that the defense contact witnesses directly.

- Dr. Robert Lyon, Yavapai Medical Examiner
- Dr. Mark Fischione, Yavapai Medical Examiner
- Dr. A.L. Mosley, Coconino Medical Examiner
- Dawn R. Sy, Criminalist with Arizona Dept. of Public Safety
- Mike Rauton, Verde Valley Fire Captain

Can we agree to 2 consecutive days in May, for us to personally interview these witnesses and inspect the evidence?

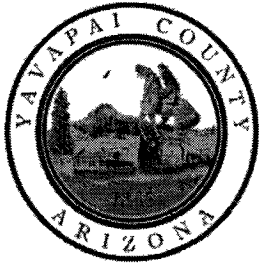
Please let us know if you have any questions and thanks in advance for your professional courtesy and cooperation.

Sincerely,



Truc T. Do

cc Thomas K. Kelly, Esq.



Yavapai County Attorney

255 East Gurley Street
Prescott, AZ 86301
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SHEILA POLK
Yavapai County Attorney

May 7, 2010

VIA E-MAIL & US MAIL

Truc T. Do
Munger, Tolles & Olson L.L.P.
355 South Grand Avenue, 35th Floor
Los Angeles, CA 90071-1560

Re: State v. James Arthur Ray, CR 201080049

Dear Ms. Do:


I have received your May 3, 2010 letter requesting disclosure and will provide the requested items as soon as they are received from the responsible agencies. The status of each of the items requested in your letter is provided below.

1. On May 6, 2010, we requested copies of all "field and lab notes" from the responsible medical examiners and Criminalist Dawn Sy. The notes will be disclosed as soon as they are received.
2. The inspection of the evidence in this matter will need to be arranged through YCSO Detective Ross Diskin. Detective Diskin can be reached at (928) 771-3260. We note your request that the evidence inspection and the requested interviews be scheduled on two consecutive days. While we will try our best to comply with this request, our ability to do so will be dependent on the availability of the witnesses and Detective Diskin.
3. In regards to any prior acts of the defendant, the State intends to introduce evidence concerning the prior sweat lodge incidents as described in YCSO DR 09-040205 and the supplements thereto.
4. The Yavapai County Jail routinely records all jail phone calls made by any inmate while incarcerated. We have requested a copy of the recordings of all calls made by the defendant and will disclose as soon as received. At this time, the State does not intend to use any recordings of these calls in our case-in-chief.

5. The State has requested criminal history reports on all of the witnesses currently listed in our disclosure statements. Once the histories are received, they will be reviewed and any convictions within the parameters set forth in Rule 15.1(d), Ariz. R. Crim. P. will be disclosed.
6. My Administrative Assistant, Penny Cramer, will be arranging the interviews you requested. Once again we take note of your request to have the interviews and the inspection of the evidence scheduled for two consecutive days in May and have scheduled May 20 and 21 for these events. However, our ability to do so will be dependent on the availability of the witnesses and Detective Diskin. I would also note that you requested personal interviews of the listed witnesses. None of the witnesses are local. Please let Penny know if you wish to interview the witnesses telephonically or if you want to interview them in the respective cities where they work: Phoenix (Dr. Lyons and Fischione and Crimnalist Sy) and Flagstaff (Dr. Mosley). Personal interviews will impact our ability to schedule the interviews on two consecutive days.

Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,



Sheila Sullivan Polk,
Yavapai County Attorney

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June 4, 2010

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(1922-2008)

VIA EMAIL

Sheila Polk
Yavapai County Attorney's Office
255 East Gurley Street
Prescott, Arizona 86301

Re: State v. James Arthur Ray

Dear Sheila:

In an effort to promote a fair and expeditious trial, we would like to confer with you regarding evidentiary issues that may arise for both the State and Defense. Our cooperation and effort may allow us to avoid filing unnecessary pre-trial motions with the Court. We invite you to identify any issues the State anticipates for discussion. The following are issues the defense would like to address:

1. Alleged Prior Bad Acst and Character Evidence.

In your letter of May 7, 2010 and pursuant to Ariz. R. Crim. P. 15.1(7), you provided us with notice that "the State intends to introduce evidence concerning the prior sweat lodge incidents as described in YCSO DR 09-040205 and the supplements thereto." In reviewing the State's disclosure to date, I have located only one specific incident — the alleged 2005 incident involving Daniel Pfankuch. If there are additional alleged sweat lodge incidents the State will seek to introduce, would you kindly identify them with more specificity so that we can prepare to meet them?

WRITER'S DIRECT LINE
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Sheila Polk
June 4, 2010
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We would like to confirm with you also that the State does not intend to introduce evidence of the following prior bad acts or character evidence, which we believe are not relevant and are inadmissible under Arizona Rules of Evidence 403 and 404(b):

- Any evidence or reference to alleged injury or incident that occurred in non-sweat lodge JRI events. For example, allegations of broken hands at the Modern Magick events, Curt Reinken's eye injury at Quantum Leap, and the Colleen Conway suicide at Creating Absolute Wealth.
- Any evidence or reference to Mr. Ray's or JRI's financial wealth, including references to the costs of the Spiritual Warrior Retreat, and Mr. Ray's or JRI's business practices, including references or opinions on sales techniques used at JRI seminars and events.

2. *Improper Lay Opinions.*

In interviews conducted by the Yavapai County Sheriff's Office, witnesses expressed opinions, often times solicited by the detectives, regarding Mr. Ray and the sweat lodge which we believe are improper under Ariz. R. Crim. P. 701. Such opinions include, for example:

- Mr. Ray is a "guru" or "Jim Jones."
- JRI attendees are "followers in a cult" or "who drank the Kool-Aid."
- Mr. Ray "played God."
- The aftermath of the sweat lodge ceremony looked like a "war zone."

Does the State intend to elicit these types of lay opinions from witnesses?

3. *Mr. Ray's Prescription Medicine.*

Does the State intend to introduce evidence or reference to the medication found in Mr. Ray's possession and/or luggage at Angel Valley?

4. *Mr. Ray's Statements.*

In your letter of May 7, 2010, you indicated that the State does not intend to use any of the jailhouse recordings of Mr. Ray while he was in the custody of the Yavapai County Sheriff's Office. Does the State intend to use any statements allegedly made by Mr. Ray, without *Miranda* warnings, at Angel Valley on October 8 and 9, 2009?

Sheila Polk
June 4, 2010
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5. *State's Allegations of Aggravating Factors.*

The State has alleged the presence of an accomplice pursuant to A.R.S. § 13-701(D)(4). Perhaps I have overlooked a detail in the State's case, but I am unable to imagine any scenario in which it could be alleged that Mr. Ray had an accomplice to this accident. Would you kindly identify the name(s) of the accomplice(s) which forms the basis of this allegation?

Pursuant to Ariz. R. Crim. P. 19.1(b), allegations of aggravating factors are bifurcated from the guilt phase. Will the State be objecting to bifurcation?

6. *Pre-Trial Motions Briefing and Hearing Schedule.*

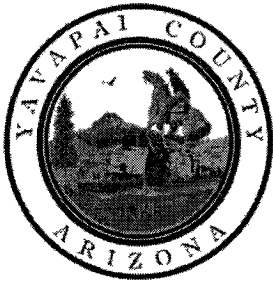
The Court set July 9 as the motions deadline and July 20 and 21 for hearings on any motions. At the pre-trial conference of April 26, 2010, the Court suggested that we may need to expedite the briefing schedule to accommodate the July 20 and 21 hearing dates. In order to allow the parties the customary filing time pursuant to Ariz. R. Crim. P. 1.3 and 35.1, we propose that all motions be filed on or before June 23, with responses due on July 8 (15 days after receipt of motion), and replies due on July 16 (8 days after receipt of response). Please let me know if this is agreeable with the State and we can inform the Court of the parties' proposed briefing schedule.

Thank you in advance for your cooperation and professional courtesy in our effort to streamline this litigation. While this constitutes a good faith effort to identify potential issues, we obviously cannot anticipate every issue that may emerge at trial and so we reserve the right to raise additional issues. We will reciprocate when the State identifies any pre-trial issues for discussion. I look forward to hearing from you.

Sincerely,



Truc T. Do



Yavapai County Attorney

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SHEILA POLK
Yavapai County Attorney

VIA EMAIL & US MAIL

June 24, 2010

Truc T. Do
Munger, Tolles & Olson L.L.P.
355 South Grand Avenue, 35th Floor
Los Angeles, CA 90071-1560

Re: State v. James Arthur Ray, CR 201080049

Dear Ms. Do:

This letter addresses various pending issues by topic.

Work Product Information / Medical Examiners

You continue to seek information from the State about a meeting between prosecutors, investigators and medical examiners, and have indicated you will file a Motion to Compel. I would be happy to consider your legal authority for your position that you are entitled to further information about this meeting that we believe to be work product protected pursuant to Rule 15.4(b), Arizona Rules of Criminal Procedure, and respectfully request that you provide the State with such authority.

Motion Deadline and the Defendant's Disclosure Obligation

As you know, the deadline for motions is July 9, 2010. Because you have not provided the State with any disclosure of materials or evidence and have not filed any Supplemental Rule 15 Disclosures, the State lacks information to file appropriate motions. Please notify the State of any evidence, material, experts or specific witnesses you intend to use at trial. In the event the State does not receive information from you, we will consider filing a request to extend the motion deadline for the State's motions.

In light of the above, I cannot agree to your proposed accelerated motion briefing schedule.

Truc Do
June 24, 2010
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Rule 19.1(b), Rules of Criminal Procedure

You have asked whether the State “would object to mandatory bifurcation of the aggravating factors pursuant to Rule 19.1(b).” To the extent that I understand your question, the State is in agreement that aggravating factors as they relate to the sentence are tried to the jury after a guilty verdict (other than priors – not alleged here).

Audio Recording made by Michael Barber

The State has learned that Michael Barber recorded the meeting of the participants in the 2009 sweat lodge ceremony that immediately preceded the event. Mr. Barber states he gave a blue 350GB external hard drive to Josh Fredrickson which contained the recording of the October 8th meeting. According to Detective Diskin, this blue 350GB external hard drive was not present during the search of James Ray International in Carlsbad on October 15, 2009. Detective Diskin’s report setting forth this information is simultaneously disclosed with this letter.

The State hereby formally requests that you provide a copy of the audio recording to the State. If it is your position that you will not provide this recording to the State, please state your reasons so that we may consider a timely motion pursuant to Rule 15.2(g), Arizona Rules of Criminal Procedure.

Recordings by Detective Diskin of Defense Interviews

It has come to my attention that Detective Diskin has been providing to you, at your request, copies of the recordings of the defense interviews. I have instructed Detective Diskin to cease doing so. Please be prepared to record all future interviews for yourself if you desire recordings.

“Meet and Confer”

The State agrees to a telephonic “meet and confer” after the exchange of witnesses and exhibits on July 23 to discuss possible stipulations and evidentiary issues if you will agree to the audio recording of the meeting so there is no misunderstanding of the scope of any agreements. Please let me know and I will ask my assistant to arrange the meeting.

Other Act Evidence

The State intends to introduce at trial testimony from past participants in the sweat lodge who became ill or suffered signs of hyperthermia. The identify of these participants and their testimony is set forth in the previously disclosed reports.

Truc Do
June 24, 2010
Page Three

Evidence or reference to injuries or incidents that occurred in non-sweat lodge JRI events.

The State intends to introduce this evidence and testimony at trial.

Evidence referring to the Defendant's financial wealth

The State intends to introduce evidence and reference to the financial wealth of the defendant and/or JRI, including references to the cost of the Spiritual Warrior Retreat, the business practices and the sales techniques.

Improper Lay Opinions

The State does not intend to elicit improper lay opinions. Testimony referring to the defendant as a "guru," "Jim Jones," a cult, drinking Kool-Aid, that the defendant "played God," and apt descriptions of the aftermath of the sweat lodge ceremony do not constitute improper testimony or evidence.

Defendant's Prescription Medicine

The State does not intend to introduce evidence or reference to medication of the defendant unless made relevant by the defense; i.e. that defendant's mental state was altered by medications.

Defendant's Statements

The State does not intend to use any jailhouse recordings unless they become relevant. The State intends to introduce all other statements of the defendant.

Aggravating Factors: Presence of Accomplice

Members of the defendant's staff, whether paid or volunteers, are accomplices to the events. Their names and identities are set forth in the previously provided reports.

Thank you for your efforts to streamline this process. I look forward to receiving from you further disclosure so that the State may identify potential issues to discuss with you, and perhaps streamline. Should you need anything further from the State, please do not hesitate to contact me.

Very truly yours,



Sheila Sullivan Polk
Yavapai County Attorney

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July 1, 2010

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VIA EMAIL

Sheila Polk
Yavapai County Attorney's Office
255 East Gurley Street
Prescott, Arizona 86301

Re: State v. James Arthur Ray

Dear Sheila:

Thank you for your letter of June 24, 2010 and agreeing to our request for a meet and confer to work out stipulations and other evidentiary issues. We also request that the meeting be recorded. Luis and I are available any day during the week of July 26 to 30. Please let us know if any of these dates work for you.

Enclosed please find a courtesy copy of Mr. Ray's First Supplemental Disclosure; we will serve you with a copy after the original is filed with the Court. The State has named for trial every witness identified in its eight disclosures, which is a list of approximately 120 civilians excluding law enforcement and medical personnel. However, on March 12, 2010, Bill emailed me stating that the State intends to call approximately 60 witnesses. I indicated then that if the State narrowed its disclosures to these 60 witnesses, Mr. Ray would be in a better position to identify his witnesses and disclosure obligations. Therefore, please be aware that Mr. Ray's disclosures are dependent on the State providing a more realistic notice of trial witnesses. See e.g., *Osborne v. Superior Court (Pinal County)* (Ariz. App. 1988) 157 Ariz. 2.

As of today, the State has not complied with certain of the defense's requests for discovery, made nearly two months ago. Please advise us on the status of these items so that we may timely bring any necessary motions to compel.

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Sheila Polk
July 1, 2010
Page 2

Outstanding Discovery Requests

1. *Prior Felony Convictions*

On May 3, 2010, I requested, among other items, a list of any prior felony convictions and misdemeanor conduct constituting moral turpitude of witnesses you intend to call at trial pursuant to Rule 15.1(d). We have not received any information responsive to this request.

2. *Alleged 404(b) Acts*

On May 3, 2010, I also requested that the State provide "a list of all prior acts of the defendant which the State intends to use to prove motive, intent, or knowledge or otherwise use at trial" as required by Rule 15.1(7). The State responded on May 7 that it "intends to introduce evidence concerning the prior sweat lodge incidents as described in YCSO DR 09-040205 and the supplements thereto." I renewed my request on June 4, 2010. You responded on June 24, 2010 that the "State intends to introduce at trial testimony from past participants in the sweat lodge who became ill or suffered signs of hyperthermia."

I do not believe your responses comply with the plain language of Rule 15.1(7) which requires the State to "list" the specific instances of alleged prior bad acts. The State's disclosures exceed 4000 pages. Mr. Ray conducted a sweat lodge 5 years consecutively with hundreds of participants. The State's view of what qualifies as an illness or "signs of hyperthermia" may differ from ours. From all of this, Mr. Ray cannot guess, nor should he be required to guess, who specifically the State intends to call as a 404(b) witness. At a minimum, adequate notice requires the State to list the names of such persons and identify the specific incident alleged to be a prior "bad act."

Additionally, the State has now indicated that it intends to introduce evidence or reference to injuries or incidents that occurred in non-sweat lodge JRI events. These were not previously disclosed by the State pursuant to Rule 15.1(7). Please also provide us with the names of the persons and identify the specific incident you allege qualify as admissible non-sweat lodge "injuries or incidents."

We would like to meet and confer regarding the State's 404(b) evidence in order to evaluate the necessity (or lack thereof) for motions in *limine* and cannot do that in a meaningful way with the State's vague notice.

3. *Medical Examiners' Complete Files*

On May 24, 2010, I renewed and clarified my May 3 request for disclosures pertaining to the medical examiners. Specifically, I stated that: "We are requesting a copy of the complete file on the cause and manner investigation conducted by each medical examiner's office. This should include, but is not limited to, any forensic investigator's reports or notes, and

Sheila Polk

July 1, 2010

Page 3

any and all notes kept by the medical examiner's office. We would also like copies of any documents reviewed by the medical examiners during their investigation, including but not limited to medical records and YCSO reports reviewed by the medical examiners."

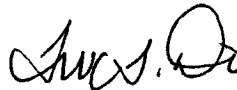
On May 26, 2010, you wrote that you "will request the complete files from all the medical examiners." To date, I believe we have only received *select* pages from the medical examiners' files. Please tell me if we have the complete files or that you do not intend to provide us with copies of the complete files exactly as maintained by the medical examiners.

State's Request for Audio Recording from Michael Barber

Mr. Ray's Rule 15.2 mandatory disclosure obligations do not require him to provide the State with evidence to help sustain its burden of proof. *See e.g. Ariz. R. Crim. P. 15.2(f)*. I would be happy to consider any authority you have for your position or to discuss this further, and I would certainly reconsider my position if I am incorrect.

Thank you. I look forward to hearing from you.

Sincerely,



Truc T. Do

enclosures

*I/V Sheryl Stern Transcript Det. Ross Diskin C23

On 12/24/09 I interviewed Sheryl Stern. The following is a transcript of that interview:

Sheryl: This is Sheryl

Det. Diskin: Hi Sheryl, this is Ross Diskin, we've been playing some phone tag

Sheryl: (Inaudible) Yes we have. How are you doing?

Det. Diskin: I'm doing good, how about you?

Sheryl: I'm awesome, thank you for asking.

Det. Diskin: Good Yea, uhm, the, your name has come up several times. People keep telling us, have you talked to Sheryl? Sheryl's gonna have good information for you. And we've just never had a chance to, to get with you yet. Uhm, you seem to be pretty busy. Uhm but

Sheryl: Yea, I am, I, you know, I, I, run my, my own thing now so it means I have to stay on top of my game, so yea, so I stay pretty busy and I keep my calendar pretty full. Cause I'm really building right now, rebuilding uh, what I had before I started working for James.

Det. Diskin: Oh

Sheryl: So how can I help you?

Det. Diskin: Well uhm you know I don't know specifically what information that you have but, but uhm you know there's a lot of things that I want to talk about First of all, when did you work for James Ray?

Sheryl: Uh just recently. Uhm I uh, I started uh under contract as a coach uhm the end of 2005. And that was remotely, I worked remotely for them, I (Inaudible) the office. And then uhm two years ago I uh went to the office and started working as an employee. They kinda just gave me the job and I said okay cause I had been talking about the need for a coaching program to really help the participants get more out of the, the journey.

Det. Diskin: Okay

Sheryl: And so uhm that was my job, was building that coaching program and uhm and insuring that participants got the support they needed.

Det. Diskin: Okay, so that was in 2007 when you actually went, went to work for him directly?

Det. Diskin: Okay

Sheryl: Uhm, it is true that people in the office just take what their told. And what I understand, what I've been told now, and this is second hand, what I've been told is that when the Sedona incident happened, uhm in the office, they did not tell them that someone had, the people had died. Or that people had been hurt. Instead they told them that a bunch of people got sick. Megan sent a message. A bunch of people got sick, don't talk to anyone.

Det. Diskin: Okay

Sheryl: And so yes, she has a tendency to belittle the staff in the eyes of the employees. The employees don't know Me, I'm gonna tell them I'm gonna, listen, something happened, here's what happened and we're handling it I want them to know what happened and I want them to know we're doing the best we can to handle it Cause to me, yea they're employees, they don't need to get involved in it but they're gonna hear. And they're gonna be concerned. And when, my thing is take that all away from the beginning and be honest and say listen, something happened, we're handling it, and uhm and we'd like your support with that, here's what you can do kind of thing. So that's how I handle it.

Det. Diskin: Okay. Alright.

Sheryl: If they would had told me that young lady had, had committed suicide you know there's several things I would have wanted done. At the, for heaven's sake, all those participants there that worked with her throughout the event that, that, her roommate at the hotel. All those people who have wanted to show some respect.

Det. Diskin: Mmm Hmm

Sheryl: And, and

Det. Diskin: Do you know why James wouldn't, I mean why he would not want people to know that she had committed suicide?

Sheryl: James takes his advice from Megan or from his attorney so I don't know which of those he took his advice from that day

Det. Diskin: Okay

Sheryl: But uhm, you know he must have taken his advice from someone

Det. Diskin: Okay, and let's talk about some of the other events. Specifically in Kona, did you attend those events? The Modern Magic

Sheryl: Oh yea, all of them

Det. Diskin: Do you know of anybody receiving injury during that?

Sheryl: Uhm yea, Modern Magic, in fact I got injured at Modern Magic. Uhm, but again you have the option to not do the, the exercise, you know? You do have that option and if you get injured you go to the hospital, we were always happy to take you there. Uhm there was one uh Modern Magic 2007, 2008. Uhm I went to the very first Modern Magic and I went every year after that.

Det. Diskin: Okay

Sheryl: Uhm and in 2007 Modern Magic was where I got hurt. Uhm I, I did an activity, it was about breaking a brick

Det. Diskin: Okay

Sheryl: And uhm I, you know everything is energy. There's a principle that everything's (Inaudible) and I've done a lot of weird stuff over the years so I felt pretty confident. There are times when you're not as on your game or in the zone so to speak as other times. And this particular time I wasn't in the zone. And, and I went for it when I shouldn't have and I knew that and so I accepted responsibility for that and I, I took care of my hand. My hand got hurt, I took care of it.

Det. Diskin: Was it broken?

Sheryl: Knowing that, no I didn't, I fractured it, yes I fractured it but uhm

Det. Diskin: Okay

Sheryl: but it wasn't uhm you know, to me it was more of the thing that I learned was listen, when you know you are not ready to step up and do something, you don't do it.

Det. Diskin: Okay

Sheryl: It's about me listening to my gut so I learned that lesson the hard way.

Det. Diskin: So if somebody, I mean were people encouraged to do it if they were reluctant?

Sheryl: Yea, you know if you, if you don't want to, James is encouraging everybody to do it. Now's your chance, whose next, whose next, whose next he'll say, whose next? And, and so when you step up there you're you know, we're just quiet and you take your time and you're given the time to get going. When you're ready you know and so I stepped up and I, I just went for it but my hand went down on the edge of the brick. I didn't do it properly.

Det. Diskin: Okay

Sheryl: And so yea, it was more of a, a technique. My technique was off and so my, the edge of my wrist went down on the edge of the brick really hard and that's, I mean James jumped up right away and picked me up and was taking care of my hand and, and he was scared.

Det. Diskin: Did James tell you to go to the hospital?

Sheryl: He said get that checked if you need to. He told me that. He said get that checked if you need to

Det. Diskin: Okay how many other people broke bones?

Sheryl: That, that particular year, I was the only one that got hurt that time.

Det. Diskin: Okay

Sheryl: Uhm

Det. Diskin: What about the next year

Sheryl: The following year in 2008 was when uhm we did that exercise, particular exercise and we did, uhm a board exercise, two of them. And the people who did the board exercise, I mean most of those people were fine. Nobody from the board had any kind of issues but the people who chose; you had the choice. You could either pick the board or pick the brick.

Det. Diskin: Okay

Sheryl: And several people picked the brick. Now me, having gone through what I did before, I would have picked the board. I can go through a board anytime but the brick was tough for me. And I actually watched many people go through the brick and I was just amazed and by that time I decided I'm never gonna put my hand on another brick again. But uh, but I watched many people go through just fine and James did a demonstration with uhm Lou Caci whose been around quite a long time too. Lou's been around longer than I have. He's the one that got burned in Spiritual Warrior

Det. Diskin: Right

Sheryl: this year, yea he's a great friend of mine. And so Lou, Lou went up and demonstrated how to do it and went through the brick. And I'd seen Lou do it before but Lou broke his hand and he said, he told me, he said Sheryl you know what? I, I just went too hard. He said I went too hard for it and, and you know, cause it, it's not, you don't need to use a lot of force and if you go, you want to go with power and not force. I don't know if you've read the differences but it's about the energy and pushing

through energy. Uhm it's not about forcing and when you use force that's when you get that push back on your bones and you're, and you end up getting broken bones. So anyway a few, several people broke their bones. I don't know how many. Uhm, but several did.

Det. Diskin: Okay. And was James aware of this?

Sheryl: Uh not, not right away because uhm we took, we were outside, I was out there gathering them up and lining them up so that we could get cars to take them to the hospital (laughs). It was amazing, I was just shocked at how many uhm, I knew of 10 and then um Carly who was then the event coordinator then too also was helping and uhm I don't know what the final count was but yea, several people went to the hospital. And so over the next few weeks it was about well how are you doing? You know, I was calling and checking in with them. How are you doing? How's your hand? Uhm things like that So uhm, so yea

Det. Diskin. Okay. And what

Sheryl. It happened

Det. Diskin: Did you see that as a problem at all, that this many people had broken bones?

Sheryl: Yes and so we decided we're never gonna do bricks again.

Det. Diskin: Okay

Sheryl: We'll only do board

Det. Diskin: When you said we decided, was it

Sheryl: Uhm well you know I was concerned and expressed that concern and Megan said that she would recommend that we never do bricks again.

Det. Diskin: Okay and do you know if she did that?

Sheryl: I don't know if she actually talked to James about it, no

Det. Diskin: Okay. Okay, so you did tell Megan, you did tell Megan that, that you know, that this is not good and she

Sheryl: Right

Det. Diskin: said that she would recommend to James that, that you never do the bricks again?

*I/V Reinkens, Kurt 10/28/09 C23

Interview by Detective Ross Diskin:

On 10/28/09 I interviewed Kurt Reinkens. Kurt was a participant in a James Ray event in which Kurt received an eye injury from an arrow. The following is a transcript of that interview:

Kurt: This is Kurt

Det Diskin: Yea Kurt, this is Det Diskin again

Kurt: Hi

Det. Diskin I'm back at my desk now and uhm I just wanted to get, get a little background First your uh last name, R-E-I-N-K-E-N-K?

Kurt: K-E-N-S

Det. Diskin: S, okay. That sounds easier to say

Kurt: Reinkens, yea

Det. Diskin: Which uh Quantum Leap were you at, what were the dates?

Kurt: Whew, I don't have that in front of me

Det Diskin: For, for what year?

Kurt: I believe it was uhm I think it was in '07

Det. Diskin. Okay. Okay

Kurt: I can dig in the files and confirm that

Det. Diskin: Okay, how did you learn about James Ray?

Kurt: Uhm my wife uh was attending a convention for Multilevel Marketing Chocolate; the show side Chocolate and James Ray was the guest speaker. And he uh was like a free seminar and uh she liked what he had to say. Uhm and signed us up for an event, uhm, I'm trying to remember what the first event; we've been to three. So we've been to uh Absolute Wealth, Harmonic Wealth and Quantum Leap.

Det Diskin: Okay

Kurt: And I forgot the order, but uh I can dig into that We have the records. Uhm went to the first one, then signed up for two more at a discounted rate. Uhm one of the events, you know, challenging people to push past their comfort zone and their challenged to go through the barriers of fear. He has you kind of punch through a block, a wood block. It's just a 1x piece of pine and you know uhm I've done construction so I, I didn't feel threatened doing that one. Uhm and that Quantum, Quantum Leap he uhm had us uh in a high pressure situation uhm, uh line up and lean into an arrow where the metal part of it; and a standard archery arrow, uhm the metal, sharp metal tip uh, put it at the soft part of your neck right above your, your sternum right where the, there's no muscles, you can feel your trachea through the skin there and lean into it. Uhm we had signed a disclaimer going in, you know, I ski in, in Tahoe here and I'm used to seeing disclaimers on the back of uh, of, of tickets. I understand that just about any one business is gonna try and get a disclaimers. Uhm and so at the same time I'm looking at this room, I think there's several hundred people. I'm thinking there's no way this business model can exist where he's killing his, and seriously maiming his people or we would have heard about it. There must be a parlor trick or something going on here. Uhm and in my group I'm guessing there's maybe ten lines each with I don't know how many people in each line, twenty, thirty people. Uhm I was first, or my wife was first in line and she panicked and threw me in front of her and uh I went first and uhm I noticed that the person that I was lined up across one of his Dream Team or staff members was wearing safety goggles and had a leather glove on. And uhm as I leaned forward the shaft of the arrow bends which I'm sure he's trained their staff to do, is to make sure they bend, but the, the, so the wood splinters but the, the, can imagine the quantity of splinters going off in random directions uh, one of the splinters flew up underneath my glasses and uhm penetrated my eyelid. It was kinda a bloody mess and discovered very quickly that they were not prepared for uh anything to go wrong. They didn't have any first aid, they had to scramble and go to the hotel and the hotel found a, a first, a little, cheap, plastic first aid kit. They didn't have any medical people there for such a dangerous activity and in light of what's gone on down in, in Sedona, uh to me it was just another example of uhm reckless behavior. And I think, you know, it just shows a pattern of reckless behavior. Uhm and uhm that is, that's it in a nutshell. Uhm I've been on the Facebook page that uh there's been a lot of dialoguing going on. Uhm, uh and there's somebody on there that I suspect is from law enforcement uhm that posted your guys' number and advised that uh that I call you guys.

Det. Diskin: What Facebook account is that?

Kurt: It's the James Arthur Ray

Det. Diskin: Okay.

Kurt: I presume he's FBI just cause if he's not he seems to be posing, I don't know if it's technically, legally posing but he certainly looks that way

Det. Diskin: Okay. And are you the one that was on tv?

Kurt: Yes, CBS in Phoenix Tuesday night

Det. Diskin: All right. It's ironic that you called because we just had a meeting and one of our tasks that we discussed in that meeting was, was locating you.

Kurt: Well here I am

Det. Diskin: Your ears must have been ringing. Uhm I guess

Kurt: And also disclaimer, Kirby uhm, we knew Kirby. Kirby worked for my wife, uhm, about ten years ago or more. And then she was visiting here in town last year uhm so I don't know if that would create a you know, a conflict or something in, in your court case. Uhm, I just want to put that on the table so it doesn't surprise, come as a surprise.

Det. Diskin: Right Okay.

Kurt: You know if the defense is claiming conflict

Det. Diskin: Yea and (Inaudible)

Kurt: But as far as your guys' investigation, the event I was at, James Ray had a crew there filming everything so there is somewhere a huge pile of, of video data of, of the event.

Det. Diskin: Okay and we, we

Kurt: And

Det. Diskin: we may have that

Kurt: And I was interviewed later, uh, they pulled some of us into a room and, and you know had us, had us talk and I'm the guy with the eye swollen shut. Looks like a, a boxer in a boxing match so if you guys dig that up.

Det. Diskin: Okay. And what was the purpose of that, make you talk about what?

Kurt: Well he was just, just, he was asking for people just to talk about what they were going through, why they were there, what the event. I think he was gonna use it for a marketing piece or for future events. I mean he's, he's a consummate in sale and marketing, I mean it's just off the chart.

Det. Diskin: Okay. Uhm did you get any kind of medical attention? Did you go by yourself to the hospital?

Kurt: There happened to be someone attending there that was a, I forget, I don't remember the term Either an, I think an Ophthalmologist that just, just by chance was

there and that person uh checked me out and saw that my eye was not injured but that it was a skin tear of the eye lid on the outside of the lid and that uh just you know, Neosporin and uhm, uhm, uhm proper hygiene and it would probably heal and suggested that if the swelling doesn't go down in a couple days when I get home to go see a professional. Uhm you know I might have gone to my eye doctor when I got back, uhm

Det. Diskin: If you could check on that and see if you can give me any kind of medical records

Kurt: Yea I'll check on that one, (Inaudible) checked on anyway

Det. Diskin: Do you by chance have any pictures of it? I mean did anybody take your picture?

Kurt: Whew No, no I did not other than the James Ray videos that exist. Uhm, I'm trying to think of who else, I mean my wife was there but uhm I'm trying to think if I know of anybody else who was attending that

Det. Diskin: And did, did your wife participate with breaking the arrow?

Kurt: No she saw me kinda lunge forward and saw the blood and then she came chasing after me and was attending to me rather than do the exercise.

Det. Diskin: Yea that's probably good

Kurt: Yea

Det. Diskin: How, how, how did they react to that? I mean obviously the staff would have been whoa, that arrow just went into your eye, you know? What did they do?

Kurt: Well uhm, they kinda whisked me out of public view, over to the side of the room. Uhm sat down, they had a, somebody that, that was not one of the people with the leather gloves on came over to me. It was a female uh and uhm she you know was concerned, uh, and acted concerned. She proceeded to uh, uh, you know she went to work to find the first aid kit, or had someone else do it, I don't remember, kinda blurry memory in that regard. Uhm, and then this other Opthamologist, whoever that they found, that was in the audience that uh came forward to help that even, I mean she stated her credentials and everything. Uhm then she took down my contact information and said that she would be contacting me in a couple days to make sure I was okay. And you know my phone number, names, phone numbers, etc., they never contacted me. Uhm

Det. Diskin: Okay. They didn't say he you know we'll give you a refund, anything like that?

Kurt: Oh no, no, no offer there Uhm and then uhm yea, and, and, and later you know in the event, if you guys come up with the film records you'll see that later we're

supposed to, people are invited to the next day to, or later that afternoon, I don't remember to, to, to stand up and share some of their experiences and uhm and what you're trying to process. And uh I stood up and spoke and so James Ray saw me. I had, you know, I had said what had happened. Uhm and he did not, so it wasn't like he claimed ignorance that he didn't know that it had gone on. He knew it happened, here I am in front of the microphone on film, that he's filming, saying what had happened and there was no, I don't recall there being any apology or any offer to, to you know refund anything or anything like that.

Det. Diskin: Okay. Then what did you say, I mean were you upset when you when you talked?

Kurt: Well yea I was upset but I wasn't mad. Uhm one of the things partially going on in the (Inaudible) of these courses is you're trying to work on something about yourself. And, and I was there to work on myself so the challenge in his things, as strange as this may sound in light of what's going on, is he's challenging everyone to take personal responsibility for everything in their life. And so what he's trying to get you to do is to acknowledge the, to not be a victim but to take responsibility that, that I myself am responsible for putting myself in that room at the time. I chose to bend forward on the arrow, it split, it's not the arrow's fault, you know it's kinda like he's teaching personal responsibility. So I was talking about what that was doing for me. Uhm and mentally what I was grappling with and this is what I talked about was that for personal achievements or breakthroughs in my life, I feel that somewhere I was programmed earlier in my life that major epiphanies have to be painful. So that like when you go, when I work out, I like to go ride uphill on my bicycle up a mountain. The pain of climbing the hill makes me feel like I've achieved something. For some reason I'm programmed that way, I was grappling with that. And as I was grappling with this, uhm, this, this happened and it was just more of the same and, and I was trying to work through that. So, so that was the discussion at that point

Det. Diskin: Did you say anything like hey you know there should have been medical staff here, uhm, anything like that?

Kurt: I don't recall saying that

Det. Diskin: Okay

Kurt: I remember, you know, thinking it but I don't remember saying it.

Det. Diskin: Well at the time you know you were probably part of the group and didn't

Kurt: Well that's, there is something there. They, you know I'm not a psychologist, I don't understand you know how all this works and, but there's definitely a group mentality, definitely peer pressure, definitely a lot of hype up, a lot of energy shifting on how uhm, how one's thinking. And that's one of the reasons people go to these things, is

to experience all this stuff and walk away energized, go back to their life and, and feel that, you know they're a better person or that they're, have, something's changed in their life. There, that you know there's a lot of people in the community, I don't mean just James Ray community but people that go to self help workshop, even call it workshop high. You come off a workshop and you're energized and recharged and fired up about life for you know either a day, a week or a month afterwards and, and there's definitely a high running at these events.

Det. Diskin: Okay. Uhm, the events that you went to, did you ever drink anything that, that uh, that uh was mind altering or made you feel kinda light headed?

Kurt: No

Det. Diskin: You didn't?

Kurt: No

Det. Diskin: (Inaudible) any kind of liquid?

Kurt: No. The, the, the events, the two, the three events that I went to were more business related; sales, business, how to get your life back on track. They were not his esoteric as I'll call it uh workshops. Uhm the Quantum Leap was based on some of the science behind quantum physics but his Spiritual Warrior uhm, his, he's got one Practical Mysticism and I can't remember all of the names of them. One he holds in Hawaii, one in Tahoe here and the one in Sedona. Uhm if he was gonna dive into that stuff I could see it happening at this more esoteric ones.

Det. Diskin: Okay. And uhm the, the free seminar, the first one that you went to. Uhm how long was that, what, what took place (Inaudible)

Kurt: Well I didn't go to that first free seminar, my wife did

Det. Diskin: Oh, okay.

Kurt: And it, yea I can't speak for how long it was. It was held in Reno, Nevada

Det. Diskin: Okay. All right. We may have more questions for you down the road. Would it be okay if I give you a call?

Kurt: You, I, I feel, I would love to cooperate with whatever you're gonna ask, as many questions as you want

Det. Diskin: Okay

Kurt: The part that makes me a little nervous is if I gotta go into court. Uhm 1) because I did know Kirby, the defense could come back and say conflict. Uhm the disruption of my life, uhm, all that kind of stuff. I realize if this,

if you know, I, I hate to put the caveat out there but if the guy's gonna walk and get away with this shit I'd gladly step up but I realize it's probably hard. I don't mean to be a chicken shit witness but uhm

Det. Diskin: No I completely understand

Kurt: Just that I'd rather stay under the radar if I can

Det. Diskin: Okay

Kurt: As far as the public's eye

Det. Diskin: Yea we'll

Kurt: There might be a lot of crazy's out there that follow this guy and I don't want to draw that on myself

Det. Diskin: Yea uhm, you know you're one of many, many, many people that were injured at one of his events so I'm not sure how many people we would need to testify should he be charged with a crime. Uhm but it certainly shows one of the elements of the crime. This one's a little bit different than most cases that we worked. Uhm because he didn't intend to kill anybody we don't believe that you know he was trying to kill somebody. The, the element of the crime is negligence and in order to show that negligence uhm we want to show that uh, you know that people

Kurt: a pattern?

Det. Diskin: yea a pattern of people being hurt, no medical staff, uhm that kind of stuff and so your testimony would be important, uhm, but it's one of many and I don't know how many we're gonna use. But you'll be talked to about that, if you're willing to testify, you know, down the road. Uhm but these, these kinds of cases if, if Mr. Ray is charged with a crime uhm it could be a year or two before it went to trial.

Kurt: Right. Are you guys able to get help from the Feds or anything on this or you guys having to do this on county dollars?

Det. Diskin: Yea I mean we've got uhm, we investigate you know homicides all the time. But yea we, the Feds haven't uh gotten involved. They may, and you know, I think that that would be good for additional help, uhm, but they might look, they might be investigating it differently. They might be looking at business practices and, and things of that nature. Maybe some fraud, the way he runs a business, uhm that kind of stuff. They probably wouldn't investigate the, the homicides

Kurt: So are you guys monitoring the, the Facebook page because there's some

Det. Diskin: I've got, I've got somebody doing that right now. I looked at his Facebook page and read a bunch of the comments

Kurt: Mmm Hmm

Det. Diskin: which, you know, were almost all negative

Kurt: Yea

Det. Diskin: uhm but I don't know how to get back into it now. Something, I don't know if he blocked it, if you have to be a, you know

Kurt: Well you just call yourself a fan and then you can get in

Det. Diskin: Okay

Kurt: Uhm but there's a guy that, by the, by the whatever, screen name James Connery on there that you know he's, he's insinuating on there that he is law enforcement.

Det. Diskin: He may be, uhm, I don't know who that is and it's not somebody that, that works here

Kurt: Cause he's the one that did post the, the number I called in on so he's, he's working with you

Det. Diskin: Okay

Kurt: Uhm, and uhm, anyway, neither here nor there, I mean it's just, it's, I mean I'm glad to see that, I was kinda excited to see that people were paying atten; I mean there's a wealth of connection to potential witnesses out there through the Facebook page so

Det. Diskin: Yes, and we

Kurt: there's a lot of people not posting, their watching it, uhm, probably afraid to post.

Det. Diskin: Yea, well we've you know literally talked to hundreds of people already and we're gonna continue to do so and we're gonna take every lead we can find. You know, cause we want to get all the information we can uh you know that way we're set to go should we you know charge him with a crime.

Kurt: Alright. I mean my perception is the guy is not a cult leader. There's a lot of people calling this a cult and I think that's just a natural reaction to what's going on and I don't even know what the definition of a cult is. But you know I'm thinking Jim Jones, this that and the other thing, but there are people there that probably have all of the symptoms of being cult followers that uhm, that hook onto this guy and, and, and you know put him up on a pedestal. Uhm but I agree with you, this is just negligence and

uhm I think he's got a lot of great teachings and, and they're not just his teachings. These are ancient, a lot of them are very old teachings. He's just put them in a package, uh, made it easy for people who are busy in their lives to, to, to you know work on themselves over a few day time period. Uhm but the negligence, and I, I think it's coming from arrogance. I mean his personality, uhm, it just

Det. Diskin: Yea you know a lot of people have said that. Uhm yea, you know we don't, we don't know, we're still looking into it. Uhm there's so many other things associated with this case. There was a suicide that happened at one of the events, uh, which didn't seem right. I mean it seemed kinda hokey but we're looking into that too. So we're looking at every angle that we can find but I hear your phone ringing so I'll let you go.

Kurt: Alright thanks

Det. Diskin: Alright, take care

Kurt: Alright bye

Det. Diskin: Bye

Tue Nov 10 14:12:50 MST 2009
Apvd C16/0394 DBW

*I/V of Josh Fredrickson Transcript Det. Diskin and Det. Poling

On 01/14/10 Det. Poling and I interviewed Josh Fredrickson in the conference room of the West Inn and Suites in Carlsbad, CA. This was a "free talk" with a stipulation of use immunity. Josh was represented by his lawyer, Mike Proctor. The following is a transcript of that interview:

Det. Diskin: It's Det. Diskin, I'm here with Josh Fredrickson, he's represented by Mike Proctor, his counsel Det. Mike Poling is here This is a free talk with Mr. Fredrickson It's been stipulated with the Yavapai County Attorney's Office that anything Mr. Fredrickson says today cannot be used against him in a court of law unless it can be used as impeachment evidence should he testify differently than what he told us. You understand what that means?

Josh: Don't lie, right?

Det. Diskin: Yeah, no, you can confess to a homicide and there's nothing we can do about it.

Josh: Okay

Det. Diskin: But if you tell us one thing and it isn't true and we show at court that it isn't true, we can say that you're lying because here this is what you told them and this is the truth.

Josh: Gotcha

Mr Proctor: And Josh and Megan have both received copies of the correspondence of January 12 and 13th which set forth all that

Det. Diskin: Right. I'm gonna try and go through this fairly fast because we had already done a preliminary interview with you, it's just a few things that I'm looking at. Have you attended any other sweat lodge other than James Ray's sweat lodges?

Josh: Not a sweat lodge, no I attended uh, in Mexico on vacation, it's at a spa. It was called a Temexcal which is a dome structure and they heat it up and it's (Inaudible) it's very spa like.

Det. Diskin: So, okay but an actual sweat lodge, have you done any kind of research to learn how you operate a sweat lodge or what's supposed to take place in a sweat lodge?

Josh: No

then having to snap to it and help people out. You know there's been piles of towels added, big coolers of water and electrolytes, the watermelon, the tent that you can go and sit under, chairs, so a lot of different things that have been incorporated over the years. But the biggest one that I know of from '05 to '06 is people outside and doing it during the day.

Det. Diskin: Okay. Just from what you can remember, did the Hamilton's ever tell James Ray that the sweat lodge was dangerous or there was a problem or he needed to do things differently?

Josh: I believe, that sounds like it would have been part of the discussion, the, I guess we call it an argument between James and Amayra. I mean she said that something like this will never happen again at Angel Valley and so I mean we agreed we never wanted to call the paramedics again so that's why we talked about the different things that we could do to change things.

Det. Diskin: When you say you didn't want to call the paramedics again, you didn't want there to be a situation.

Josh: We, don't want the situation where that had to happen, yeah. Not, not.

Det. Diskin: Right, I just wanted us to be clear. That would make you look bad if that were.

Josh: yeah, yeah, no we don't want people to be in a situation where the paramedics need to be called.

Det. Diskin: Alright and did you go to Quantum Leap in 2007?

Josh: Yes.

Det. Diskin: Okay, do you remember an incident where somebody had an eye injury, something happened to their eye?

Josh: In 2007, somebody, yeah we broke, we do an arrow break at Quantum Leap which it's like target arrows, practice arrows. And they hold them right here in their neck and then there's a Dream Team member that holds their hand out and the person just walks forward and the arrow breaks. And so I do remember one person, the arrow broke and it jabbed him like I believe right near his eye and he was bleeding. And we did, we had goggles there for everybody and I believe he declined to wear the goggles at that time. I think he wore glasses and so that's why he chose not to wear the goggles. And so you know he was bleeding and so we, we I believe it was, I believe it was a Joanna, Joanna Rivera that was there to do the first aid, I can't recall if it was her specifically but we had someone who went over and got the first aid kit and looked at his eye and

everything and you know he said he was fine. I remember him, he came the next day back to session and it was, I believe he had gone to a doctor, I don't know for sure but it was, you know, really swollen and he had a big bandage over it.

Det. Diskin: Do you know if anybody encouraged him to go get that checked out?

Josh: I'm not sure. Like from James Ray International?

Det. Diskin: Yeah

Josh: I'm not sure specifically if someone had said you know you should get that checked out. I would, I would assume that they would. But it was bandaged up the next day so it would appear to me that he did.

Det. Diskin: What was done after this to prevent this from happening in the future as far as getting an arrow stuck in your eye?

Josh: Well we had, he declined the safety goggles and so I think that was, that was the issue for the next year and then also I believe because we'd only had 2008 after that so it was just the one, the one event that we had after that so it was, they had to wear the goggles the next time and then I think if I recall that the angle that someone holds, the Dream Team member's holding the arrow if it's higher up then it has more, I guess it's more dangerous and so we, we trained the Dream, made a point to trained the Dream Team members much more specifically to hold it down cause the tendency is to just hold their arm straight up kind of thing.

Det. Poling: Did they discontinue this arrow thing?

Josh: No, no

Det. Poling: They still do it today?

Mr. Proctor: Well there was only one more

Josh: Yeah in 2008 there was

Det. Poling: That's what I mean, after that it left, that's what I thought you said. Is there a reason why they, that was taken out? Is it the whole course or just that one part of it?

Josh: In 2009 that was gonna be about, it was a month after the Sedona incident so that event was cancelled. So we haven't had (Inaudible) yeah

Det. Poling: Gotcha

*I/V of Michelle Goulet by Detectives Diskin and Poling:

On 01/14/10 Detective Poling and I interviewed Michelle Goulet. Michelle was represented by her lawyer, Michael Proctor. The following is a transcript of that interview:

Det. Diskin: Alright this is Detective Diskin. We're here with Michelle Goulet and she's represented by her counsel, Michael Proctor. We also have Detective Poling here. This is a time set aside for a free talk. Ms. Goulet has been given use immunity for this free talk. Anything that she says cannot be used against her in court unless she testifies differently. Then the information can be used for impeachment purposes.

Mr. Proctor: And I should say this like I did before, Ms. Goulet has a copy of the three letters that constitute that agreement between me and Mr. Bill Hughes.

Det. Diskin: Alright, 2008 you attended the sweat lodge in 2008, is that correct?

Michelle: Correct

Det. Diskin: And what was your role in the sweat lodge?

Michelle: I was a participant so I was just there to experience it.

Det. Diskin: Okay, you were not a staff member?

Michelle: No

Det. Diskin: Are you a staff member now?

Michelle: No we've all been laid off.

Det. Diskin: Okay were you hired at some point?

Michelle: I was employed then but I was attending that event as a participant.

Det. Diskin: Oh okay. In 2008 did you observe any problems or anything you would think is a problem?

Michelle: At the sweat lodge?

Det. Diskin: Yes

Michelle: I didn't.

Det. Diskin: Okay. Did you see anybody that you thought was maybe in medical distress or anybody unconscious or anybody having any kind of issues?

Michelle: No

Det. Diskin: Okay In 2008 we were told about a girl that was put in a bathtub. She was having some issues from the sweat lodge and so she was placed in a bathtub to kind of cool her off. Were you a part of that?

Michelle: No and I don't think Angel Valley has bathtubs.

Det. Diskin: Okay. And do you know Barbara Waters?

Michelle: Yes.

Det. Diskin: How long was she unconscious in 2008?

Michelle: I wasn't aware that she was unconscious.

Det. Diskin: Okay. The following day after the sweat lodge did you notice or were you made aware that some people were not able to remember the sweat lodge?

Michelle: No.

Det. Diskin: Okay. Let's talk about Coleen Conway. Do you know who that is?

Michelle: Yes.

Det. Diskin: She had attended an event in San Diego recently and there was a suicide, she had committed suicide. When did you first learn that she had committed suicide?

Michelle: Well I got confirmation I guess that the person that did commit suicide was her when I talked to the Medical Examiner.

Det. Diskin: Okay and what time was that?

Michelle: It was Saturday evening, I don't really know exactly what time.

Det. Diskin: There was kind of like a big event that evening, like a black tie type event.

Michelle: The black tie dinner was Sunday night.

Det. Diskin: Oh was that a Sunday night?

Michelle: Yeah there was a dinner with everybody on Saturday night but I wasn't, I was only there for a few minutes.

Det. Diskin: Okay did you know that it had been identified as Coleen Conway as the suicide prior to that dinner on Saturday night?

Michelle: No.

Det. Diskin: Okay. Do you remember about what time Saturday night you talked to the Medical Examiner?

Michelle: I really, I can tell you the sequence of events but I really don't remember the time.

Det. Diskin: I think that would be better if you just tell us from your point of view what happened.

Michelle: Starting when?

Det. Diskin: Starting when

Mr. Proctor: What year were you born?

(Laughter)

Det. Diskin: When you realized, or it was known that somebody was missing, they didn't come back to the bus.

Michelle: Someone didn't come back to one of the buses. I don't know it was probably around like 2 or 3 in the afternoon. Which is not unusual for that exercise that's pretty typical which is why we have team members who follow the buses in their cars and then wait on site for anybody that's late or you know doesn't, doesn't make the bus ride back with everybody else. So I did know that we were still missing one person from the Horton Plaza location and that Becca was staying to wait for her. So she stayed and she waited for about 45 minutes or an hour I think and then said she was just gonna come back to the hotel. And that's happened before, we've had people show up you know 2 hours later with shopping bags in a cab because they you know just decided they didn't want any part of that exercise. So Becca came back to the hotel and we knew that one person was still missing. We were all aware of it. I had the emergency phone that all the participants were given like a card with a phone number on it. An emergency number just in case they got you know in a situation that they needed help. So I had the emergency phone with me still and we went to, we moved into the next exercise right away. And that was also an off site exercise and after that exercise when she still wasn't back, that's when myself and Becca and JoAnna and Tina started making phone calls. We started calling, well first we tried to see if she was staying at the hotel that we were at and she wasn't. So then one person started calling the other hotels to see if maybe she had just gone back to her hotel room or you know decided to call it quits. So someone was calling hotels, someone was calling hospitals, shelters; you know we couldn't get any information from any of those people. And then I called Horton Plaza security and I told them that we were looking for someone, we were there with a group activity that afternoon and one person didn't come back and we were looking for them and wondering if you know there was anything that they could do to help us find that person. And that's

when he took, the person that I spoke to took my name and number and said I'm gonna have someone call you back. And then the person who called me back was the Medical Examiner.

Det. Diskin: Do you remember what time it was that you talked to the, the mall security?

Michelle: I don't, it was, I mean we spent a couple hours probably like 2 hours you know making phone calls and going back and forth before everything was done and the Medical Examiner collected her belongings.

Det. Diskin: Okay. Can you give me an approximate time of when that was?

Michelle: Evening. I mean somewhere between 7 probably and 9.

Det. Diskin: Okay so roughly between 7 and 9 is when you talked to the Medical Examiner and he

Michelle: she

Det. Diskin: she confirmed that this was Coleen Conway.

Michelle: She asked me for a description of the person that I was looking for and she said you know are there any belongings that she had and then that's when we looked through a box of personal belongings that people had left for us. Cause we tell people you know go up to your hotel rooms, change into these clothes, leave all your personal belongings except your name tag and your hotel room and key and come back. And if you're staying off site, you know you can leave your stuff with one of the staff and we'll put it in a bag and lock it up for you. So that's when we looked in the locked up bag or box and pulled out some personal items and one of the things was her purse. And so you know we found her I.D. The Medical Examiner asked me if I'd fax a copy of her driver's license to her, so I did that and then that's when they said you know we think that this is probably the same person and asked if we'd be willing to identify a picture of her body. And then she drove up with a picture and looked at that and said it was her and then she took her items and left.

Det. Diskin: Okay who from James Ray said yeah that's her?

Michelle: Myself and JoAnna Rivera

Det. Diskin: Okay and how did you know that that was her?

Michelle: We recognized her

Det. Diskin: So you know her or know of her?

*I/V Miller, Hope 10/16/09

Interviewed by Detective Ross Diskin

On 10/16/09 I interviewed Hope Miller. Hope is a former employee of JRI. The following is a transcript of that interview.

Hope: Hello

Det Diskin: Hi can I talk to Hope Miller

Hope: Speaking

Det Diskin: This is Det. Diskin with Yavapai County, I'm returning your call

Hope: Oh hi

Det Diskin: Hi

Hope: How are you?

Det. Diskin: I'm good, how 'bout you?

Hope: I'm good thank you Uhm I just wanted to reach out and offer any assistance if there's any information that you need I was an employee for 10 months up until uhm mid August of this year.

Det. Diskin: Okay. And you were an employee at James Ray International?

Hope: Yes

Det. Diskin: Okay And uhm what did you do for James Ray?

Hope: I was hired as a project coordinator and so my role there was to kinda oversee all the technology that was being used to interface with any of the vendors like their network vendor because their network was hosted by an outside company.

Det. Diskin: Okay

Hope: Uhm and to implement any other technology uhm, so at the time that I left I was in the process of implementing uhm software that they would take to the events that would act as a cash register on a laptop uhm because they would hand write when they would sell future events They would hand write the customer's information on a piece of paper that was in triplicate form

Det Diskin. Okay

Hope: and then that paper would get mailed back to the office with the customer's information and then their credit card number on it and it would be handed off to a couple different people to be put into a couple of different systems. Uhm and (Inaudible) think they were being audited because that's a compliance issue that you're manually taking those credit card numbers

Det Diskin: Okay

Hope: And then they're laying around all over the office. Uhm so that's what I was doing I was implementing technology that would replace that manual process.

Det Diskin: Okay. And did you know James Ray personally?

Hope. Yes we all did

Det Diskin: Okay. All right, uhm, there's probably 10,000 questions that I would have for you. So it's hard to know where to get started.

Hope: Is there anything they're focusing on? I personally uh only attended one event in the

Det. Diskin: Okay, which event was that?

Hope time I was there. I went to the Harmonic Wealth event in uhm it was a couple months before they; before I left so it must have been the beginning of the year. I don't remember exactly when it was, it was so traumatic. Uhm and I went as, as, as an employee to work because I was implementing the software, I needed to see how they did sales. And uhm I was absolutely, and I knew what went on at the events in terms of the production material. I was also in charge of the people who would create all of the marketing material that would go to each event

Det Diskin. Okay

Hope: And so I was aware of all of that but the event itself was, it was total brainwashing

Det. Diskin: Okay

Hope: What they do is put 500 people in a room at 8:00 in the morning and they give you two, 15 minutes breaks throughout the day and a 45 minute lunch and a 45 minute dinner and the rest of the time everyone is sitting on those little hotel chairs until 1:00 the next morning. And it's cold in the room, he keeps it like 60 degrees in the hotel conference room and it's, he uses a lot of uhm language that, it keeps people uhm, there's a word for it, I can't remember what it is but he says the same things over and over again

And these people are brainwashed and at midnight he pitches his first sale for the package that he wants you to buy which is two or three of the next events.

Det. Diskin: Hmm

Hope: And so I asked the questions, I asked one of the other team members, why doesn't he pitch the sale earlier in the event? And they do it because people are tired and vulnerable and think that once they get up and without their credit card then they can go and sleep and it's a two day event. So they come back at 7:00 the next morning.

Det Diskin: Oh so they get to leave at 1 and come back at 7?

Hope: Right

Det. Diskin: Okay

Hope: So there's sleep deprivation involved, uhm, and then they, you're at a hotel so you, and you only get 45 minutes for a meal so you can't really leave the hotel to go relax or take a break. You're kinda forced to eat at the hotel so that you're sure that you're back when they start 45 minutes later.

Det. Diskin: Interesting.

Hope: He doesn't interact with the crowd uhm during breaks or lunches. Uhm and even at that event there's an activity called a board break where at the end of, or close to the end of the two days, you're told that you're going to write your most limiting beliefs on a board, a piece of wood. And it's a couple inches thick and probably 12 x 12 inches, it's a square piece of board. And you're gonna bust through that board with your hand

Det Diskin: Hmm

Hope: And when I didn't do it, when I decided I wasn't going to do it, I was told that I wasn't playing full on.

Det. Diskin: You were told that you weren't playing what?

Hope: Full on

Det. Diskin: Oh, okay. So you're not a follower then of this?

Hope: No

Det. Diskin: Okay

Hope: Exactly. Exactly and as a result of that uhm I think that's part of the reason why I was let go in August because I was literally, of the 25 people in the office, I think I was the only one who was not a follower. And when I took the job working for James, I did my homework and I read his book and I read through some of his material. When you read his material it seems rather uhm common sense. You know the things that he says you have to think, feel and act in order to uh achieve what you wish to accomplish. They were things that I felt that uhm I didn't have any objection to, any of his philosophy. But when you meet the man and you're working for him, if you are not so totally subservient to him that you will do anything he tells you to do, you're not a valued employee And your days are numbered

Det. Diskin: Okay. And let me get back to when you had asked why don't they pitch the sale a little bit earlier in the event and, and they were told you know, they said you know because they're tired and vulnerable. Uhm who told you that?

Hope: Well I actually, what exactly had happened was the woman I was talking to, her name is Tina Heffner

Det. Diskin: Okay

Hope: And when I asked her the question she just kinda smiled at me and I said is it because everybody is so tired and so vulnerable and she just kinda smiled at me and shook her head. About a half an hour later when we were still, it was, there were people, about a half a dozen people actually purchased and they were hand writing up the sales and we were waiting to leave, uhm Melinda asked, oh I can't remember Melinda's last name, Melinda Martin; she asked the same question because she was fairly new and Tina looked at her and gave her the company vernacular and said that he waits that late because your conscious mind is too tired to think and your subconscious, or your unconscious mind, you're not aloud to say subconscious because that implies less than, uhm your unconscious mind which knows what's best for you but is sometimes manipulated by your conscious mind, your unconscious mind is able to take over and have you do what you know is the right thing to do. And I was standing there

Det. Diskin: So did he brainwash you into thinking that you're doing the right thing? Is that

Hope: Exactly, exactly and there were people at the event who uhm James, James will say at the event that if you don't have the cash cause the package that they want to sell the most of is the three event package I believe and it's \$13,000 and he will tell everybody that if you don't have the money to spend on the event that you need to whip out your credit card and make the investment in yourself because money isn't an issue. Once you're in Harmonic Wealth you, money will, there will always be money. And so you need to put this on your credit card now so that you can be harmonic later on and don't worry about it, you'll pay it off. And besides, anybody whose anybody always has debt. And then he spends like the next 20 minutes talking about how uhm Donald Trump

is in debt. You think this man charges, pays cash for everything? No way. He, He, He's in debt up to his eyeballs but look how wealthy he is. And people will sit there and debate with themselves about whether or not they should put it on their credit cards because he's telling them that it's what they need to do for themselves. They need to invest and you have people come back to purchase and one woman who was standing there with the credit cards in her hand and literally started to cry because she knew that she didn't have the money to spend and when she ultimately gave him her credit card she left the room crying because she didn't know how she was gonna tell her husband cause he wouldn't understand.

Det Diskin: Hmm. Wow.

Hope: And it's just not right It's, I, I didn't feel it was, I was very uncomfortable because I didn't feel it was right to make people feel that way but yet at our last quarterly meeting we were told we were no longer gonna get uhm profit sharing, the employees, because James was \$400,000 in debt and until he retired that debt he couldn't afford to share any profit with us.

Det. Diskin: Hmm

Hope: So he's not very ethical.

Det. Diskin: Yea, interesting. Now

Hope. And I am, I'm in no way surprised that uhm unfortunately this happened because it was just a disaster in the making, waiting to happen.

Det Diskin: Right, okay now you worked a lot of the computer stuff and, and

Hope: Yes

Det. Diskin: Okay. Where did they store most of their documents, was it on the computer or was it in hard copy form?

Hope. No they kept uhm soft copies on the uh shared drive in the office and I read that you uhm conducted a search of the office

Det Diskin: Yea

Hope: yesterday. The server's where that documentation is kept is in the office but all of their web applications like their help desk application or the application on which they take orders uhm is in uhm, is hosted by a company called Brackspace

Det. Diskin: Okay I got that from Josh Fredrickson

Hope: Okay

Det. Diskin: Do you by chance have a contact with them or somebody that, that when you were working there uh a contact person with that company that you would talk to?

Hope: Uhm the person I spoke to his name I believe was Jody Martinez? They're in Texas

Det. Diskin: Jody Martinez

Hope: Yes I believe that was his last name, I know his first name was Jody.

Det. Diskin: Okay

Hope: And the network was hosted by a company called Systim Inc. S-y-s-t-i-m

Det. Diskin: Systim Inc?

Hope: Mmm Hmm. Uhm but since our servers were on site, our computer servers our shared drives were on site on those servers, uhm Systim would take a backup but they didn't have in possession any physical uh files to my knowledge.

Det. Diskin: Okay so I have the server so are all those documents gonna be on what I took out of the office?

Hope: Yes

Det. Diskin: Okay

Hope: And uhm most of them would be on the shared drive which is an S drive in the directory

Det. Diskin: S as in Sam?

Hope: Yes

Det. Diskin: Okay

Hope: And uhm things like disclosures and the documentation that they pass out at all the events; that would all be on the S drive. Uhm and any employee documentation would be under Human Resources. Megan kept all of that documentation in Read Only or in uhm, we, we didn't have access to those files. We were locked out of those files but I know they're in the HR folder uh which is also on the S drive.

Det. Diskin: So the Human Resources folder has all the employee information?

Hope: Yes

Det Diskin: Okay

Hope: And she might have also kept any information regarding any client communication that, that; they were very closed mouth with the employees. The average age of the employees was about 20

Det Diskin: Okay

Hope: Around 25 and I'm exaggerating a little bit but uhm and there's an, as one of the older people in the company I'm 51, there was a lot of manipulation that went on in the office as well and uh most of those people, a good percentage of those people in the office, for them it was their first or second job And James would say it's not just a job to work for him, it was an experience. You were helping other people, you were transitioning the planet, etc. And so a lot of information wasn't shared with us. From what I understand they didn't even tell anybody on Friday that people had died on Thursday night.

Det. Diskin: (Inaudible) yet

Hope: (Inaudible) for any communication

Det. Diskin: Do you still have friends that work there?

Hope: Yes I do

Det. Diskin: Okay, and who, who are your friends that still work there?

Hope: Uh, uh Amy Hall and I were friends. And uhm Brittany Waterman and I were friends, although my communication with her since I've left hasn't been much.

Det. Diskin: Okay

Hope: And I have speculation as to why that's the case but

Det Diskin: Do you think they were told not to contact you?

Hope: I think she was told that uhm, I don't know that she was told anything specifically about me but I think that they, or or not to contact me but I think that they have wooed her into drinking the Kool Aid so to speak.

Det. Diskin: You'd be surprised at how many times that reference has come up

Hope: Yea, it's, unfortunately it's, it's, Brittany's very young and she's very impressionable and when myself and one other gentleman was there he was let go at the

same time uhm we kinda had uhm an opposing, not an opposing opinion but we didn't follow so blindly like all the others do

Det. Diskin: Right

Hope: They're told what to eat, they're told how to behave, they're told what they should do outside of work. There are all kinds of labor laws that I'm sure are broken. Just the fact that Josh and Megan are married and when I started working there Josh reported to Megan.

Det Diskin: Mmm

Hope: So they're all kinds of labor laws that I think are infringed upon by that scenario but at least Brittney was able to hear uh an opposing opinion and now that we're not there uh I saw pictures on Josh's Facebook page. They took Brittney skydiving and so I think they're wooing her into the fold so to speak

Det. Diskin: Okay. All right and uhm for instance if somebody were to uh call in and say hey you know I just spent my life savings on your seminar and I want my money back, uhm who would handle that? And what would happen?

Hope: They don't get their money back. Uh that call is typically taken by Tina Heffner

Det. Diskin: Okay

Hope: And Tina sat just over the wall, we all sat in a great big room uhm and there was a very low wall that would separate some of us and so I would hear

Det Diskin: Did you sit in the middle part there?

Hope: Yea. In the very middle part of the room. Uhm so Tina sat, so I would hear all those call that came in and James, Megan and Josh would never take any of those phone calls. They refused to speak to any clients ever. And so Tina would take the majority of those calls and people would call and want a refund even though they signed something that said there were no cash refunds and the first things that Tina would ask them is well, what event would you like to reschedule for. And when they would say I don't want to reschedule, like for example Spiritual Warrior is only once a year so they would say okay well how about we sign you up for next year? And the client would say no I don't want to do that I'd really like to have my money back, then Tina would launch into trying to convince them that they really need to go because the, the, by virtue of the fact that they can't get themselves there this year, there's something wrong with them. And so they really need to go and we're not going to give you your money back, we're gonna do you a favor by making sure you get to an event because you really need to go. James' whole thing is tear people down so that he can build them back up. There has to be something wrong with you, that's why you're there, you're a loser, you need to follow

James in order to be successful or happy or physically fit or whatever the case may be. And so there are absolutely zero refunds. In fact uhm there was a family that wanted their money back because there was a death in the family and they needed the funds, uhm, and we wouldn't give it to them.

Det. Diskin: Hmm. Was, was it the person, the person that died, was it the person that was going to attend the event?

Hope: No it was uhm the person who was going to attend the event had a death in the family. I think it was a mother or a father and they needed the money to pay for funeral expenses. And uhm we wouldn't do it.

Det. Diskin: Hmm

Hope: No exceptions, we will not refund money, ever. And we will make you feel as if it's your fault, not ours. They never took responsibility for anything ever, under any circumstances.

Det. Diskin: Okay. And what would happen if somebody called in and said hey, you know I want to go to this event but I have health problems and I wouldn't survive it if, if I went. Uhm would they give them their money back if they had a health issue that would prevent them from doing it?

Hope: Nope. No.

Det. Diskin: Okay would they uh ask people, you know for instance, Spiritual Warrior's pretty physically demanding. Would they ask people you know check with your doctor, make sure you're healthy enough to go

Hope: No

Det. Diskin: No?

Hope: No.

Det. Diskin: Okay was that ever discussed around the office that maybe some people aren't quite healthy enough to do this?

Hope: No, never

Det. Diskin: Okay.

Hope: Never, uhm, and in fact the, the people who manage these events, whether is was Spiritual Warrior, or Creating Absolute Wealth, uhm the team is not equipped. These little 25 year olds, 20 year olds are not equipped for, for managing what happens at these events. Whether it's physical or psychological uhm they are not trained to deal with

any of this. At the events that I went to, a woman was there who clearly had psychological issues. An older woman and towards the end of the first day she started going from team member to team member asking to speak to whoever was in charge. And one, Melinda, she went to Melinda first and Melinda passed her off to Gregg and Gregg passed her off to Tina, Tina passed her off to Cheryl. I mean she literally went through the entire team and at the, Cheryl ended up with her last and in talking to her identified that she was seeing a psychiatrist, she had mental health issues and said to the woman, let me walk you up to your room and I think you need to go home. I don't think that this is the place for you to be Cheryl was the only one that was qualified to deal with those types of issues and she quit in July

Det. Diskin: So Cheryl quit in July. What is Cheryl's last name?

Hope: Uh Cheryl Stern. And so she had, so she quit. Anyway so

Det. Diskin: Hold on for a second. So Cheryl quit in July?

Hope: Mmm Hmm. And she uhm took the woman upstairs and she said that she would make sure that she got her money back because she should never have been allowed to attend but there is no pre-screening and Cheryl knows this unfortunately. And so, but she told the woman that they would refund her money. Well the woman came back down the next day and she was clearly agitated the next day. She didn't want to talk to Cheryl, she didn't want her money back and she sat there for a few hours with, with one of the other team members gain, uhm and then she finally left But she was clearly in psychological distress. I was sitting you know watching and no, none of the people there, JoAnna Rivera was talking to her. JoAnna has zero training and James sends everybody to these people. He calls them his transformation team because that way he doesn't have to have a one on one communication with anybody So these people are not trained to handle these types of situations.

Det. Diskin: Where, where was this event at?

Hope: This event was in San Diego.

Det. Diskin: And when was it?

Hope: Uhm I believe it was May. I count backwards, it was the end of the quarter. August, July, June, yea. It was in May

Det. Diskin: Okay. And what happened with this girl, this

Hope: This woman left and I don't know what happened to her. She left, and again, you know nothing is shared with the team.

Det. Diskin: Okay. There was an incident and I think it was in San Diego in May during a, one of his seminars from James Ray where one of the participants, either during

or after had committed suicide by jumping off the building. Apparently this was in a three story building.

Hope: (Inaudible) Yea in July?

Det Diskin: (Inaudible) July

Hope: Uhm I wasn't, it was in July. It was at Creating Absolute Wealth and one of the activities for that event uh is all of the participants are dressed up as homeless people and dumped on the streets of Del Mar by the team. And you're given a list of things that you need to find so it's a scavenger hunt and the activity is meant to make you understand what a homeless person feels like in a wealthy neighborhood. And uhm there was some talk in the office but nothing specific about how two people got lost because you're supposed to end up, at the end of the day you're supposed to end up back at a specific point where the bus picks everybody up and takes you back to the event, and back to the hotel. And I knew that, I'd overheard them talking about how two people were lost, they didn't make it back to the bus and I also heard that only one person had actually made it back to the event, the other person didn't. But up until last week I didn't know that it was because this woman had supposedly either committed suicide or, or had a psychotic break and then committed suicide, I don't have any information on what happened to her but I know that she didn't make it back to the event and we weren't told what happened.

Det. Diskin: Okay so you don't know if this was the woman that jumped off the building?

Hope: I, I put the pieces together, I don't know for sure. But I put the pieces together knowing that one person didn't make it back to the event

Det. Diskin: Okay. So if this was the person this would have happened in the middle of the event?

Hope: She'd of been out on the scavenger hunt dressed as a homeless person

Det. Diskin: Okay

Hope: When this happened

Det Diskin: Who would know about that? I mean is there, who would be the person

Hope. Cheryl. Well Cheryl was there and I think they were keeping her in the dark as well because again she was the only person who would have been qualified to have spoken to this woman if she had a problem. Megan and Josh would know what happened. If anybody knows anything that goes on there all the time it's Megan and Josh

Det. Diskin: Okay

Hope: They're like James' children, he treats them like his children

Det. Diskin: Yea well they won't talk to us

Hope: Of course not. Megan was uhm a client and she was engaged to Josh and James needed a website and she suggested Josh build the website for James and then they ended up both working for him. Melinda might also have additional information that she probably was also kept in the dark as well because she was new.

Det. Diskin: Okay, would the other participants have known what had happened?

Hope: The rest of the team probably has a better understanding of what happened than I would because they were there. Uhm like Tina or JoAnna or Michelle Gulle, they might have additional information about what happened. Whether or not they know for a fact that this woman died I'm not sure. Because I was there in the office, I mean there were only 25 of us there in the office and I didn't know that she had died.

Det. Diskin: Hmm

Hope: So, but I knew that one person didn't go back to the event. Some people leave. I was in the elevator at the event that I went to; I got into the elevator on Saturday which is the second day of the event and at about 10:00 in the morning James makes another sales pitch and a whole bunch of people; I was going back up to my room to get a bottle of water and the elevator, there were five or six women in the elevator with me and they were leaving because they were so disgusted by the fact that he was pitching a sale. He wanted you to buy the next event instead of giving them the information that he promised that would make them uh financially well off, or physically fit or whatever that they were leaving. So people do leave the events so when they said that two people got lost and one woman didn't make it back, I think they wanted us to assume that she just decided to leave.

Det. Diskin: Mmm Hmm

Hope: But the team that was on site would have better knowledge of exactly what happened I would think. Greg would know, I don't know if he's spoken with you

Det. Diskin: who?

Hope: Greg Hartell?

Det. Diskin: Greg, yea he's, yea I don't think he'll talk to us

Hope: Hmm, okay, I'm not surprised

Det. Diskin: Okay. Alright, uhm do you have any way to contact Cheryl Stern?

Hope: I do uhm let me, can I give her your number?

Det. Diskin: Sure, perfect

Hope: Cause I don't feel comfortable giving you hers

Det. Diskin: I can perfectly understand

Hope: Her, she knew all of these people and uhm Liz Neuman is a very good friend of hers

Det. Diskin: Okay, do you have my direct line or did somebody patch you into my phone?

Hope: Uhm I got a direct line and I was put through to your voice mail

Det. Diskin: Okay let me give you my, my direct line that comes, that rings at my desk

Hope: Okay, hold on just a second, let me grab a pencil

Det. Diskin: Okay

Hope: I can get in touch with Cheryl today and have her call you. Okay

Det. Diskin: It's 928-777-7348

Hope: Okay, 7348

Det. Diskin: Right and if you think of anything else, I mean I'll probably call you back if that's okay cause

Hope: Oh absolutely

Det. Diskin: You know I've been talking to people all day long and I'm sure that there's stuff I'm forgetting to ask you about. Um

Hope: Anything at all. I, I, I think that James, that this happened because James was negligent and because his team is not qualified to do these types of things but if you even so much as hint that that's the case or if you have any kind of dissenting opinion as I said earlier, they get rid of you.

Det. Diskin: Mmm Hmm

Hope: And I've been saying for months that the business was going to implode because of their business practice like not returning people's money and the way they treat employees, etc. And I'm so saddened and I, I've been so sick over the fact that people actually got hurt that if there's any information that I can provide or any way that I can help, please feel free to get back in touch with me.

Det. Diskin: Great, thanks I appreciate it.

Hope: Thank you.

Det Diskin: Alright, take care

Hope: Bye bye

Det. Diskin: Bye

End of interview.

Mon Nov 09 16:33:43 MST 2009

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